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VIA ECF

The Honorable Mary Kay Vyskocil
United States District Court, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Marden v. LifeMD, Inc., No. 1:23-cv-07469


Dear Judge Vyskocil:

Pursuant to Rule 9(B) of Your Honor's Individual Rules of Practice in Civil Cases and Section 6 of the Southern District of New York Electronic Case Filing Rules & Instructions, Plaintiffs W.M.F. and Matthew Marden ("Plaintiffs") file this letter-motion respectfully seeking leave to file their Amended Complaint with redactions.

Plaintiffs seek leave to file a redacted version on the public docket because their Amended Complaint includes highly sensitive, personal health information related to medical conditions and treatment. In this case, Defendant is a telehealth company that provides treatment options for several sensitive health conditions including cold sores, genital herpes, low testosterone, erectile dysfunction, premature ejaculation and hair loss. In order to plead their allegations with sufficient particularity, Plaintiffs' Amended Complaint includes details regarding the reasons they used Defendant's website. In particular, Plaintiffs identify the specific conditions for which they sought treatment, as well as the prescriptions and medications they sought and/or purchased as a result. For these reasons, Plaintiffs respectfully request that the Court grant their request for leave to file their Amended Complaint with redactions. Plaintiffs' counsel has conferred with defense counsel who does not oppose the relief requested hereby (an unredacted version has been provided to defense counsel).

Plaintiffs are GRANTED leave to file an Amended Complaint with redactions. This will apply only at the pleadings stage. SO ORDERED.

Date: 11/27/2023
New York, New York


Mary Kay Vyskocil
United States District Judge

Respectfully submitted,

/s/ David S. Almeida

/s/ Nicholas A. Migliaccio